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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 001696-52555 U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/510518
INTERNATIONAL APPLICATION NO. PCT/US02/30997	INTERNATIONAL FILING DATE 30 September 2002 (30.09.2002)	PRIORITY DATE CLAIMED 28 September 2001 (28.09.2001)
TITLE OF INVENTION LOCALIZED NON-INVASIVE BIOLOGICAL MODULATION SYSTEM		
APPLICANT(S) FOR DO/EO/US SAOIRSE CORPORATION and KANE, Patrick D.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☒ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Exp. Mail Cert. ET868713298US; Form 301; Form 304; Form 308; Form 08a; COPY-References A1-A3; Check \$1,145.00; Return Receipt Postcard.

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="font-size: 2em; font-weight: bold; margin-top: 5px;">10/510518</div>		INTERNATIONAL APPLICATION NO. PCT/US02/30997		ATTORNEY'S DOCKET NUMBER 001696-52555							
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">CALCULATIONS</th> <th style="text-align: left;">PTO USE ONLY</th> </tr> <tr> <td colspan="2" style="height: 100px;"></td> </tr> <tr> <td style="text-align: right;">\$ 790.00</td> <td></td> </tr> </table>		CALCULATIONS	PTO USE ONLY			\$ 790.00	
CALCULATIONS	PTO USE ONLY										
\$ 790.00											
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$							
Total claims	16 - 20 =	0	X \$18.00	\$ 0.00							
Independent claims	1 - 3 =	0	X \$86.00	\$ 0.00							
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$ 0.00							
TOTAL OF ABOVE CALCULATIONS =				\$ 920.00							
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 460.00							
SUBTOTAL =				\$ 460.00							
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00							
TOTAL NATIONAL FEE =				\$ 460.00							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00							
TOTAL FEES ENCLOSED =				\$ 460.00							
				Amount to be refunded:	\$						
				Amount to be charged:	\$						
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>460.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0850</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.											
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.											
SEND ALL CORRESPONDENCE TO: Ronald I. Eisenstein Nixon Peabody LLP 100 Summer Street Boston, MA 02110											
<div style="font-family: cursive; font-size: 1.2em; margin-bottom: 5px;">  </div> SIGNATURE <u>Ronald I. Eisenstein/Nicole L.M. Valtz</u> NAME <u>30,628/47,150</u> REGISTRATION NUMBER											

Practitioner's Docket No. 01696-52555

PATENT

IN THE UNITED STATES RECEIVING OFFICE

PCT/US02/30997	30 September 2002 (30.09.2002)	28 September 2001 (28.09.2001)
International Application Number	International Filing Date	International Earliest Priority Date

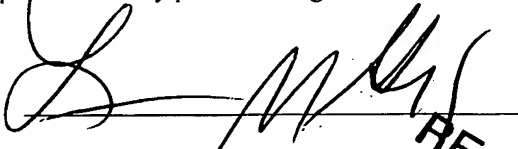
TITLE OF INVENTION: LOCALIZED NON-INVASIVE BIOLOGICAL
MODULATION SYSTEMAPPLICANT(S) FOR EO/DO: SAOIRSE CORPORATION
INVENTOR(S)/APPLICANT(S) FOR US: KANE, Patrick D.VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 C.F.R. section 1.10(c)))

I declare that, on October 7, 2004 I deposited, with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number ET 868713298 US, addressed to the "MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an express mail certification that I executed, the following papers:

1. Express Mail Certificate ET 868713298 US (1 pg.);
2. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 C.F.R. § 1.137(b) (2 pp.);
3. Transmittal Letter to the U.S. Receiving Office Concerning a Filing Under 35 U.S.C. 371 (3 pp.);
4. Application Data Sheet (3 pp.);
5. Preliminary Amendment (6 pp.);
6. PCT/IB/Form 301 (1 pg.);
7. PCT/IB/Form 304 (1 pg.);
8. Form PCT/IB/308 (1 pg.);
9. Published PCT WO 03/026618 A1 (coversheet, 1 pg.);
10. International Search Report - Form PCT/ISA 210 (4 pp.);
11. Information Disclosure Statement, including Form 08a (3 pp.);
12. Copy of citations cited in International Search Report A1-A3;
13. Check - \$1,145.00; and
14. Return Receipt Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date: October 7, 2004
Linda M. Ginsberg
(type or print name of person certifying)RECEIVED
9 MAY 2005
Legal Staff
International Division